

REMARKS

Claims 2-11, 16-20 and 35-37 are currently pending in this application, as amended. Claims 21-34 were previously canceled for being directed to a non-elected invention. Claims 1 and 12-15 have been cancelled without prejudice. Claim 6 has been rewritten into independent form and amended to more particularly point out and distinctly claim the invention. Claim 9 has been amended to depend from claim 7 rather than claim 6. Support for the claim amendments can be found in, among other places, the originally submitted Specification at paragraphs [0062]-[0063]; and Fig. 1. Accordingly, no new matter has been added.

This Amendment is being simultaneously filed with a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114.

Claim Rejections Under 35 U.S.C. § 103(a)

Rejection of Claim 1

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,633,859 (“Reneau”) in view of U.S. Patent No. 1,224,180 (“Lake”), U.S. Patent No. 3,006,339 (“Smith”) and U.S. Patent No. 4,481,938 (“Lindley”). Claim 1 has been cancelled, without prejudice, rendering the rejection to claim 1 moot.

Applicants hereby reserve the right to pursue the subject matter of claim 1 in a continuation application.

Rejection of Claims 6-9

Claims 6-9 have been rejected as being unpatentable over Reneau in view of Lake and Smith and further in view of U.S. Patent No. 5,398,678 (“Gamow”). The Examiner asserts that mufflers are commonly used on compressors to quiet their operation.

Withdrawal of the rejection of claims 6-9, as amended, is respectfully requested in view of the foregoing amendments and for at least the following reasons.

Claims 6, originally dependant upon claim 1, has been rewritten into independent form and amended to clarify the orientation of the silencers.

Amended claim 6 is directed to a hyperbaric oxygen therapy system and recites *inter alia*,

...a gas compressor for compressing gas, the gas compressor including an intake, an outtake and a first silencer connected to the intake;

a pressure vessel containing the gas from the gas compressor, the vessel being capable of accommodating a patient, the pressure vessel having a second silencer coupled to the outtake of the gas compressor, the second silencer being positioned within the pressure vessel...

[underlined emphasis added]

Reneau, Lake, Smith and Gamow, taken alone or in combination, fail to disclose or suggest a hyperbaric oxygen therapy system having a silencer or muffler positioned within the pressure vessel.

None of the disclosed references disclose or suggest at least one of the silencers being positioned within the pressure vessel. As shown in Fig. 1, the silencers 90 are located at the intake 84 and outtake 85 of the gas compressor 82. The second silencer 90 is located within the pressure vessel 12. As a result, the second silencer 90 is not a conventional gas compression muffler because it must withstand the high pressure environment of the pressure vessel. A conventional muffler device would be located along the outtake line of the compressor but because a specialized silencer is needed for positioning within a pressurized environment, one of ordinary skill in the art would not have known to position the silencer within the pressure chamber. Accordingly, it is not generally known in the art to include a second silencer coupled to the outtake of the gas compressor and positioned within the pressure vessel.

Claims 9 has been amended to depend directly from claim 7, and claims 7 and 8 continue to depend from amended claim 6.

Applicants therefore respectfully submit that claims 6-9 are not obvious under 35 U.S.C. § 103(a) in view of the combination of Reneau, Lake, Smith and Gamow. Accordingly, Applicants respectfully request that the rejection of claims 6-9 under 35 U.S.C. § 103(a) be withdrawn.

Rejection of Claims 12-15

Claims 12-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Gamow in view of Lake, Smith and the Marine Air Systems Operations Manual for Passport II (hereinafter, “the Passport Manual”). Claims 12-15 have been cancelled, without prejudice, rendering their rejections moot.

Applicants hereby reserve the right to pursue the subject matter of claims 12-15 in a continuation application.

Allowable Subject Matter

The Examiner has stated that claims 2-5, 10-11, 16-20 and 35-37 are allowed.

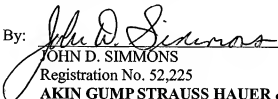
CONCLUSION

It is respectfully submitted that the present application, including claims 2-11, 16-20 and 35-37, is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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